

§§ 110.43, 110.44, and 110.45
[Redesignated]

13. Sections 110.43, 110.44, and 110.45 are redesignated as §§ 110.44, 110.45, and 110.46.

14. A new § 110.43 is added to read as follows:

§ 110.43 Import licensing criteria.

The review of license applications for imports requiring a specific license under this part is governed by the following criteria:

(a) The proposed import is not inimical to the common defense and security.

(b) The proposed import does not constitute an unreasonable risk to the public health and safety.

(c) Any applicable requirements of subpart A of part 51 of this chapter are satisfied.

(d) With respect to the import of radioactive waste, an appropriate facility has agreed to accept the waste for management or disposal.

15. Section 110.45 is amended by revising paragraphs (b) and (c) to read as follows:

§ 110.45 Issuance or denial of licenses.

* * * * *

(b) The Commission will issue an import license if it finds that:

(1) The proposed import will not be inimical to the common defense and security;

(2) The proposed import will not constitute an unreasonable risk to the public health and safety;

(3) The requirements of subpart A of part 51 of this chapter (to the extent applicable to the proposed import) have been satisfied; and

(4) With respect to a proposed import of radioactive waste, an appropriate facility has agreed to accept the waste for management or disposal.

(c) If, after receiving the Executive Branch judgement that the issuance of a proposed export license will not be inimical to the common defense and security, the Commission does not issue the proposed license on a timely basis because it is unable to make the statutory determinations required under the Atomic Energy Act, the Commission will publicly issue a decision to that effect and will submit the license application to the President. The Commission's decision will include an explanation of the basis for the decision and any dissenting or separate views. The provisions in this paragraph do not apply to Commission decisions regarding license applications for the export of byproduct material or radioactive waste requiring a specific license.

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16. In § 110.67, paragraph (b) is revised to read as follows:

§ 110.67 Criminal Penalties.

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(b) The regulations in part 110 that are not issued under sections 161b, 161i, or 161o for the purposes of section 223 are as follows: §§ 110.1, 110.2, 110.3, 110.4, 110.7, 110.10, 110.11, 110.30, 110.31, 110.32, 110.40, 110.41, 110.42, 110.43, 110.44, 110.45, 110.46, 110.51, 110.52, 110.60, 110.61, 110.62, 110.63, 110.64, 110.65, 110.66, 110.67, 110.70, 110.71, 110.72, 110.73, 110.80, 110.81, 110.82, 110.83, 110.84, 110.85, 110.86, 110.87, 110.88, 110.89, 110.90, 110.91, 110.100, 110.101, 110.102, 110.103, 110.104, 110.105, 110.106, 110.107, 110.108, 110.109, 110.110, 110.111, 110.112, 110.113, 110.120, 110.122, 110.124, 110.130, 110.131, 110.132, 110.133, 110.134, and 110.135.

17. Section 110.70 is amended by revising paragraph (a), adding a new paragraph (b)(4), redesignating paragraph (c) as paragraph (d), and adding a new paragraph (c) to read as follows:

§ 110.70 Public notice of receipt of an application.

(a) The Commission will notice the receipt of each license application for an export or import for which a specific license is required by placing a copy in the Public Document Room.

(b) * * *

(4) Radioactive waste.

(c) The Commission will also publish in the **Federal Register** a notice of receipt of a license application for an import of radioactive waste for which a specific license is required.

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18. Section 110.72 is amended by revising the introductory text to read as follows:

§ 110.72 Availability of documents in the Public Document Room.

Unless exempt from disclosure under part 9 of this chapter, the following documents pertaining to each license and license application for an import or export requiring a specific license under this Part will be made available in the Public Document Room:

* * * * *

19. Section 110.82(a) is revised to read as follows:

§ 110.82 Hearing request or intervention petition.

(a) A person may request a hearing or petition for leave to intervene on a license application for an import or export requiring a specific license.

* * * * *

Dated in Rockville, Maryland, this 14th day of July, 1995.

For the Nuclear Regulatory Commission.

John C. Hoyle,

Secretary of the Commission.

[FR Doc. 95-17826 Filed 7-20-95; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 95-ASW-09]

Revision of Class E Airspace; Venice, LA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This action revises the Class E airspace at Venice, LA. This revision of Class E airspace results from the abandoning of the Garden Island Bay Seaplane Base, LA, and the decommissioning of the Venice Radio Beacon (RBN). This action is intended to delete the Class E airspace at Venice, LA, that was previously needed to protect aircraft operating under instrument flight rules (IFR) at the now abandoned Garden Island Bay Seaplane Base, LA, and removes that airspace needed to protect aircraft operating IFR on standard instrument approach procedures (SIAP) using the Venice RBN which is now decommissioned.

DATES: *Effective date.* 0901 UTC, August 7, 1995.

Comment date. Comments must be received on or before September 19, 1995.

ADDRESSES: Send comments on the rule in triplicate to Manager, System Management Branch, Air Traffic Division, Federal Aviation Administration Southwest Region, Docket No. 95-ASW-09, Fort Worth, TX 76193-0530. The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, room 663, Fort Worth, TX, between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the System Management Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Room 414, Fort Worth, TX.

FOR FURTHER INFORMATION CONTACT: Donald J. Day, System Management Branch, Air Traffic Division, Southwest

Region, Federal Aviation Administration, Fort Worth, TX 76193-0530, telephone: 817-222-5593.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is a final rule, which involves the revision of Class E airspace at Venice, LA, and was not preceded by notice and public procedure, comments are invited on the rule. However, after the review of any comments and, if the FAA finds that further changes are appropriate, it will initiate rulemaking proceedings to extend the effective date or to amend the regulation.

Interested parties are invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule, and in determining whether additional rulemaking is required.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.9B dated July 18, 1994, and effective September 16, 1994, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) revises the Class E airspace providing controlled airspace for IFR operations at Venice, LA. The current Class E airspace description includes airspace to protect aircraft operating under IFR at Garden Island Bay Seaplane Base, LA. That base is now abandoned. Therefore, the Class E airspace is no longer needed. The current Class E airspace description also includes airspace to protect aircraft flying the Venice RBN SIAP at Venice, LA. This RBN is now decommissioned. Therefore, the Class E airspace protecting the SIAP is no longer needed.

Since this action merely involves the removal of Class E airspace as a result of the abandoning of the Garden Island Bay Seaplane Base, LA, and the decommissioned Venice NDB. Therefore, notice and public procedure under 5 U.S.C. 553(b) are unnecessary. The Class E airspace must be revised to avoid confusion on the part of the pilots flying in the vicinity of the abandoned seaplane base, and to promote the safe and efficient handling of air traffic in the area.

Therefore, I find that notice and public procedure under 5 U.S.C. 553 are

unnecessary and good cause exists for making this amendment effective in less than thirty days.

The FAA has determined that this regulation only involves an established body of technical regulations that need frequent and routine amendments to keep them operationally current. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9B, *Airspace Designations and Reporting Points*, dated July 18, 1994, and effective September 16, 1994, is amended as follows:

Paragraph 6005 Class E airspace areas from 700 feet or more above the surface of the earth.

* * * * *

ASW LA E5 Venice, LA [Revised]

Venice, LA
(Lat. 29°15'32"N, long. 89°21'10"W)

That airspace extending upward from 700 feet above the surface within a 6.1-mile radius of Venice, LA.

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Issued in Fort Worth, TX, on July 13, 1995.

Albert L. Viselli,

Manager, Air Traffic Division, Southwest Region.

[FR Doc. 95-18004 Filed 7-20-95; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 95-ASW-04]

Revocation of Class D Airspace; Fort Worth Spinks, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This action revokes the Class D airspace at Fort Worth Spinks Airport, TX. The decommissioning of the Fort Worth Spinks control tower on April 1, 1995, removes the need for controlled airspace extending upward from the surface to but not including 2,500 feet Mean Sea Level (MSL) within a 4.1-mile radius of the airport. This action is intended to revoke the unnecessary Class D airspace.

DATES: *Effective date:* 0901 UTC, August 7, 1995.

Comment date. Comments must be received on or before September 19, 1995.

ADDRESSES: Send comments on the rule in triplicate to Manager, System Management Branch, Air Traffic Division, Federal Aviation Administration Southwest Region, Docket No. 95-ASW-04, Fort Worth, TX 76193-0530. The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Room 663, Fort Worth, TX, between 9:00 AM and 3:00 PM, Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the System Management Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Room 414, Fort Worth, TX.

FOR FURTHER INFORMATION CONTACT: Donald J. Day, System Management Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0530, telephone 817-222-5593.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is a final rule, which involves the revocation of Class D airspace at Fort Worth Spinks Airport, TX, and was not preceded by notice and public procedure, comments are invited on the rule. However, after the review of any comments and, if the FAA finds that further changes are appropriate, it will initiate rulemaking proceedings to extend the effective date or to amend the regulation.